The Problem of Franchise

IN

The Madras Presidency

TRANSACTION No. I

OF

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OUR MOTTO

For always in thine eyes, O Liberty
Shines that high light whereby the world is saved ;
And though thou slay us, we will trust in thee.

செப்பனிடுபவர் பெயர்

செப்பனிடுவதற்காக எடுக்கப்
கொள்ளப்பட்ட நாள்

செப்பனிட்டு முடித்த நாள்

சரிபார்த்தவர்
மு. பா. வே.
கையொப்பம்.

ஆராய்ச்சி
உதவியாளர்
கையொப்பம்.

PREFACE

THE seeds of this Society were first sown in a discussion that took place not long ago between two friends—a discussion regarding the peculiar conditions of political life in Madras. These friends agreed that wranglings in party-politics are always unwholesome and tend to draw away from the political field many a good student of politics; and as a result of this discussion they conceived and carried through the plan of bringing together a few earnest young men who would help in enriching the political soil of Madras. It was with six such zealous students then that this Society held its first formal meeting early in October 1918, when it resolved to meet on the Thursday of every week to study and discuss political problems of importance; and in order to make discussion thorough and practicable, it fixed a maximum number of 15 members for its study group. Its method of work was to be one of careful study, research and a patient construction of political views which others might utilise for sociological or political propaganda.

The first subject of study to which this Society turned its attention, and very naturally, was "the topic of the hour"—the problem of Franchise. After a couple of discussions, however, it realised that the study of the Franchise question for the whole of India would be an impossible undertaking and so decided to confine itself to the problem as it affects the

Madras Presidency. It further decided to work at the subject from the point of view of publishing a transaction embodying the result of its meetings—a transaction which would be as complete as it was possible to make it and which would, it hoped, be useful not only to the many who are clamouring for "*some* data," "*some* basis," but also to the Southborough Committee who are soon to visit Madras. Accordingly facts were collected and sifted and extraordinary meetings convened so that there should be no needless delay in publishing this volume—the first transaction of this Society, which has for its members the following (the names are published in alphabetical order):

1. Mr. V. Chakarai, B.A., B.L., Editor, *Christian Patriot.*
2. Miss M. Chattopadhyay, Moral Sciences Tripos, Cambridge.
3. Mr. P. Chenchiyya, B.A., M.L., Advocate.
4. Mr. E. L. Iyer, B.A., Bar.-at-Law.
5. Mr. K. P. Keshava Menon, B.A., Bar.-at-Law.
6. Mr. M. S. Madhava Row, B.A., Sub-Editor, *New India.*
7. Mr. N. V. L. Narasimham, M.A., Bar.-at-Law.
8. Mr. K. P. Padmanabhan Pillai, B.A., LL.B. (Cantab) Bar.-at-Law.
9. Mr. C. Sambasiva Row, B.A., Bar.-at-Law.
10. Mr. M. Subraya Kamath, B.A., Sub-Editor, *New India.*
11. Mr. B. P. Wadia, Asst. Editor, *New India.*

The Society has for its Secretary Mr. K. P. Keshava Menon and for its Treasurer Mr. K. P. Padmanabhan Pillai: Its composition is cosmopolitan. There are 6 Brahmanas, one of whom is a lady; 2 Indian Christians, 1 Parsi and 2 non-Brahmanas. Three of the members represent Andhra interests, two hail from Malabar, two are Tamilians, two come from Canara, and

the other two members are *not* from the Southern Presidency but live and labour in Madras.

The Society after much discussion has decided on calling itself not The Fabian Society, but The Neo-Fabian Society, for it does not wholly subscribe to all that the F. S. stands for. Like the Fabians, it seeks to achieve its ends "by the general dissemination of knowledge as to the relation between the individual and society in its economic, ethical and political aspects" but *unlike* the Fabian Society, the Neo-Fabian Society is *not* composed of Socialists, its aims are *not* identical with those of the Fabian Society nor do they run along on altogether parallel lines. Further, the problems that confront the Neo-Fabians are totally different in nature from those with which the Fabians of old had to deal. The Neo-Fabian Society gains the inspiration for its name in the very mottoes that appeared on the title page of a very early tract of the group which began its work in 1884, and to which the origin of the Fabian Society may be traced:

> Wherefore it may not be gainsaid that the fruit of this man's long taking of counsel—and (by the many so deemed) untimeous delays—was the safe-holding for all men, his fellow-citizens, of the Common Weal.

> For the right moment you must wait, as Fabius did most patiently, when warring against Hannibal, though many censured his delays; but when the time comes you must strike hard, as Fabius did, or your waiting will be in vain and fruitless.

The Problem of Franchise in the Madras Presidency

—:o:—

In embarking on the very difficult and complex task of formulating a scheme which would at once provide an electorate and a Legislative Chamber for the Presidency of Madras we are aware of our limitations. The genesis of the contents of this work, as given in the Preface, shows that this labour of love was undertaken at a somewhat late hour; and thus we were not able to do what otherwise, as careful students, we should have done, viz., tour round the Presidency gathering data and collecting facts which would strengthen our case and fortify the position we have assumed. We, however, feel certain that further research would lead to the same conclusions as are to be found in the following pages, and what the reader would miss would be additional proofs of our contentions and our programme. Similarly, we would have liked a little more time to gather further statistics on the complex problem of land-owners, land-tenants and land-tax. The Government publications on the subject do not give all the information we wanted, and so we go to press mindful of the fact that some details would have improved our transaction.

We have thought it best to publish the result of our study, and we think it has been very careful, in time for the advent of the Southborough Committee. We trust the public, the witnesses and the Committee will find in our work something useful, something valuable, at least something that is thought-provoking.

We must begin by referring the reader to the Montagu-Chelmsford *Report*, paras 225-226. It is said:

> We have been invited by many advisers to indicate at once the composition of the councils which we contemplate. We have refrained from that task for good and sufficient reasons. It would be easy to make proposals, but in the present state of our information it would be very difficult to invest those proposals with authority. If a sound beginning is to be made the foundations for the building must be laid deeper. The first step must be not a hard-and-fast adjustment of the composition of the councils to the various interests of each province as estimated from headquarters, but a careful survey of all the material available in the province for an electorate. We must, in fact, measure the number of persons who can in the different parts of the country be reasonably entrusted with the duties of citizenship. We must ascertain what sort of franchise will be suited to local conditions, and how interests that may be unable to find adequate representation in such constituencies are to be represented. Such an electoral survey of the entire country is obviously beyond our powers at the present time. We propose that the work should be undertaken by a special committee, which should be appointed to deal with it as soon as possible; for whatever modifications of our own proposals may be decided upon in further discussion it seems to us certain that work of this particular nature must in any case be done.

The *Report* goes on to say that "in each province the material for its [Committee's] deliberations would, *of course* [italics ours] be prepared for it by the local government". We believe this in itself somewhat of a false move on the part of the authors of the *Report*. Local Governments are composed of people, some of whom, if not all, have vested interests in the questions before the Committee and are therefore a party to the case. It seems to us to be unfair that one party should have been entrusted with this very responsible and important work of preparing a brief, especially when we take into account the fact that such a brief will form the basis of all argument, examination and deduction. The "of course" we have italicised sounds to us somewhat ominous. Are there no other competent bodies in this country to prepare material for the Committee's deliberations?

Thus, uninvited, and even at the risk of meeting with a rebuff we have ventured to offer some "material" to the Committee and we hope our transaction will not be put away only with a shrug, good-natured or otherwise. In doing so we

have not forgotten the terms of reference, which we print below.

As regards Provincial Legislative Councils: (1) to advise on franchise and constituences in each Province with the object of securing as broad a franchise and as representative a Council as the present circumstances in each Province permit, *Report*, paragraph 226; (2) to devise means of direct election as far as possible; paragraph 226; (3) to advise how far representation can be adequately and effectively secured by territorial electorate or where circumstances seem to require it, in order to secure adequate representation of minorities of special interest, or of backward classes by (i) special or communal electorates, or (ii) reserving elective seats for special classes in plural constituencies, or (iii) nomination in such measure as the exigencies of fair and adequate representation entail (paragraph 232), or (iv) other expedients, for instance, proportional representation, etc.; (4) to advise as to the number of nominated official members; (5) as a result of (1) to (4) to propose a complete scheme for size and composition of each Provincial Council.

We have dealt with the Franchise Committee and we hope the Division of Functions Committee will not be jealous of this! We had no time to deal with its subjects and we preferred the Franchise problem as of greater importance.

Before we plunge into prosaic details we would like just to catch a glimpse of the World Ideal. The future of India must be brought into unison with her past. Democratic institutions, not of course of the kind we know in the western world of to-day, once studded this land like stars in a fair sky, and made it wonderful to behold, when the silent watcher climbed the Himalayas of Indian thought. Those institutions are dead or are dying, not only to the loss of India, but to that of civilisation. Some of these institutions can be made alive, if the Franchise Committee of Lord Southborough would infuse a little vigour and new blood into them. But will they even notice their existence? "The Present is the child of the Past: the Future, the begotten of the Present," and we earnestly hope that the Franchise Committee in planning for our country's future will not altogether forget our immemorial past. A spiritual, and not only a political and an intellectual awakening has taken place in India. We feel that our Indian Nation has realised that it also has a message to give

to Humanity, a message different from that of any other people. After the passing of a very long time our Indian Nation has once again come to the realisation of its own inner life, the presence of its own soul, which has a mission to fulfil. The spirit of the Nation, after a long sleep, has awakened and wants to fulfil its duty, its dharma.

Give us conditions, prepare for us environment in which our Motherland will be able to express her powers fully. Do not graft on the tree of our spiritual past, a branch of the materialistic present. The fair name of Britain will live in our future history, if in this twentieth century she enables us to go on with our work as a Nation in the future, on the same lines as we have done in the past—to render spiritual aid to our fellow-men. In the past, life in all departments was shown subservient to the spiritual needs of the Race; may we be able to do the same in the future! With that hope we leave that World Ideal and descend to a realm more prosaic, but not less important or less interesting, and humbly offer as gift the first fruits plucked from the tree which was planted and nurtured by us in the first season of our life.

THE PROVINCIAL LEGISLATIVE COUNCIL AND ITS ORGANISATION

THE subject may be treated under the following heads:

(1) The Strength of the Council.
(2) The Relative Proportion of the Elected and the Nominated Members.
(3) The Composition of the Nominated Section of the Council.
(4) The Composition of the Elected Section.

I.—THE STRENGTH OF THE COUNCIL

We shall begin by referring to the passage in para 225 of the *Report* dealing with this matter:

> We propose there shall be in each Province, an enlarged Legislative Council, differing in size and composition from Province to Province, with a substantial elected majority elected by direct election on a broad franchise, with such communal and special representation as may be necessary.

It will thus be seen that the *Report* does not fix the strength of the Provincial Council, but leaves it for the determination of the Franchise Committee. In the Madras Legislative Council the maximum at present is 50. The Congress-League Scheme lays down a minimum of 125 for the major Provinces and a maximum of 75 for the minor. In arriving at a satisfactory conclusion regarding the strength of the Legislative Council to be constituted under the Scheme, the following figures[1] relating to the popular assemblies in other countries enjoying representative institutions will be helpful.

[1] The figures are taken from *Whitaker's Almanack* and the *Statesman's Year Book*.

Country	Population		Number of members	Number of inhabitants represented by one member
United Kingdom	45,370,530	(in 1911)	670	67,000
Ontario	2,523,208	(in 1911)	106	24,000
Qubec	2,316,417	(in 1915-16)	83	28,000
British Columbia	396,800	(in 1917)	47	8,000
N. South Wales	1,646,734	(in 1911)	90	18,000
Victoria	1,399,779	(in 1916)	65	21,500
Tasmania	201,025	(in 1915)	30	6,700
New Zealand	1,162,022	(in 1916)	80	14,000
Cape Colony	582,377	(Whites in 1911)	51	11,000
Natal	98,144	(Whites in 1911)	25	4,000
Transvaal	420,562	(Whites in 1911)	36	11,000
Prussia	40,165,219	(in 1910)	443	90,000
Bavaria	6,887,291	(in 1910)	163	38,000
Japan	55,965,292	(in 1916)	381	135,000
Albania	2,332,608	(in 1916)	106	21,910
Georgia	2,856,065	(in 1916)	184	155,522
Kentucky	2,379,639	(in 1916)	100	237,966
Ohio	5,008,627	(in 1916)	128	39,997
Washington	15,341	(in 1916)	97 (1915)	137
Indiana	2,816,817	(in 1916)	100	28,168
Massachusetts	3,693,310	(in 1915)	240	15,388
Louisiana	1,829,130	(in 1916)	115	15,905
Iowa	2,220,321	(in 1916)	108	20,558
New York	10,273,375	(in 1916)	150	68,489

Most of these figures relate to Legislatures which roughly correspond to the Provincial Legislatures of India. The ratio of representation to the population in the Provinces of the Self-Governing Dominions within the British Empire varies from 1 to 4,000 in Natal to 1 to 28,000 in Quebec. In the United Kingdom which has nearly the same population as Madras, there is one member in the House of Commons to every 67,000 of the population. Therefore, if the precedent of other countries is to be followed, a membership of 600 could not be regarded as unreasonable or excessive.[1] However, in view of

[1] It may be noted that in the Parliament before the Reform Bill of 1832 when the number of voters was only a few thousands, there were 658 members in the House of Commons. Population and not the number of voters should be the determining factor in fixing the strength of the Legislature.

the fact that complete Responsible Government in the Provinces is not contemplated by the Scheme, 250 members for the Madras Provincial Council, i.e., 1 member to every 168,000 inhabitants would be, in our opinion, not an unreasonable figure. Some might be disposed to regard this number as too high for a Council in a transitional scheme, but the variety of interests to be provided for would demand at least as many. We have tried various devices and have carried on lengthy discussions; after mature consideration we have come to the conclusion that it is well-nigh impossible to erect a Legislative Chamber for Madras, keeping in mind the terms of reference and the Montagu-Chelmsford *Report*, of less than 250 members.

2.—The Relative Proportion of Elected and Nominated Members

The following passages in the *Report* relate to this question:

> The anomaly involved in the presence of nominated members in a Council to which we are giving some responsible powers must, we think, be accepted as one of the necessary illogicalities attendant on a transitional period. (Para 232.)
>
> There seem to be good and sufficient reasons for not dispensing entirely with the official element in the Legislative Councils. Once the official *bloc* is swept away, the main objection to the presence of officials no longer exists; . . . . The exact number of official representatives will be a matter for the Committee to consider. We advise, however, that the official element appointed by the Governor *should be no larger than is considered necessary for the transaction of business.* (Para 233.)

The Congress-League Scheme fixes the nominated element at one-fifth of the total strength. At present there are 21 nominated members in the Madras Legislative Council and an equal number of elected members. The presence of such a large number of nominated officials and non-officials has been deprecated, and the *Report* itself restricts the nominated element to what is required for the representation of minorities and the transaction of business. Though the Congress proportion of nominated members is in our opinion too high for a popular assembly, and the disadvantage increases proportionately when the number is increased to 250, still we do not propose to reduce it.

3.—The Composition of the Nominated Section

So we would fix the number of nominated members in the Reformed Council at 50. There are at present 16 nominated officials in the Madras Legislative Council. We would reduce this to 10 in the Reformed Council, and that number must be adequate since many of the departments will be transferred to the control of Indian Ministers. With regard to the nomination of non-officials, the matter should not be left to the entire discretion of the Government as at present. The nomination of non-officials should be resorted to only for the representation of minorities and interests that have no representation or are not adequately represented. To minimise further the anomaly of having nominated members in a representative assembly, we would strongly urge one or other of the following expedients:

(1) The Government to nominate out of a panel appointed by the elected members of the Legislative Council from minorities or interests pointed out by the Government.

(2) The elected members to select out of a panel nominated by the Government.

Of the two we would prefer the first. The strength of the nominated element should not be maintained at its maximum, in order to enable the Government to meet any unforeseen contingency or to call experts to the Council during the discussion of an important bill or measure. Of course, the experts will vacate their seats as soon as the purpose for which they have been called is fulfilled.

4.—The Composition of the Elected Section

We are in entire agreement with the recommendation in para 226 of the *Report* for doing away with indirect representation altogether for the reason that is given there, viz.: "It is one main cause of the unreality that characterises the existing Councils, because it effectively prevents the representative from feeling that he stands in any genuine relation to the original voter." Therefore, we are opposed to the continuance of the present method of electing members through District Boards and Municipalities.

For the same reasons we are not in favour of constituting electoral colleges, consisting of delegates sent by the primary voters. In view of the proposal to transfer some of the departments to the control of the elected representatives of the people, it is highly desirable that they should stand in direct relation to the electorate, and thus feel to whom they are really responsible. We need not elaborately set forth the evils attendant upon indirect election but content ourselves with the single remark that the present preponderance of one community, which is the main ground of complaint of a political faction in this Presidency, is mainly due to the smallness of the present electorates and the indirect system of election, that obtains. The following facts[1] will confirm the thoroughly unrepresentative character of the present Council. In the Madras Legislative Council the 21 non-official elected members are at present returned in the undermentioned manner:

No. of Members	Constituencies	Electors
9	District Boards and Municipalities	3369 (about)
2	Zamindars	277
2	Minor landholders	2313
1	Landholders of Malabar and South Canara	444
2	Muhammadans	1368
1	Madras University	180
1	Trades Association	22
1	European Chamber of Commerce	40
1	Planter elected by 13 affiliated associations whose individual membership is not large.	

[1] These facts, with regard to the number of electors, are taken from the Hon. Mr. Ramachandra Rao's book *Thoughts on Indian Polity*, pp. 261-262.

2

"Thus it will be seen that the whole body of 21 elected members of the Madras Council are returned by less than 10,000 voters out of a total population of about 41 millions." Excluding the representatives of the special and communal electorates, we have 9 members for a population of about 41 millions or 1 member to about 4,500,000.[1]

The Representation of the whole of India in the Minto-Morley Reformed Councils, both Imperial and Provincial, is as follows:

Officials	169
Nominated non-officials	34
Special Constituencies like Municipal Corporation, Universities, etc.	14
European Chambers of Commerce and Planters ...	21
Landholders	22 (about)
Communal representation	18
General representation	52

The total strength is 330 of whom only 52 represent the general mass of the population i.e., 1 member for 4,500,000.[1]

Between the existing condition and the one to be attained under the terms of reference—"securing as broad a franchise"—lies a gulf, but by no means an unbridgable one, and we think we have been able to provide a suitable plan.

The Distribution of the Elected Members

Deducting the nominated members, we have 200 members to distribute all over the Presidency. In the distribution of seats we have to take the following factors into consideration:

1. Territorial Representation.
2. Special Interests.
3. Minor Communities.

[1] These facts are taken from Mr. Kelkar's *The Case for Indian Home Rule.*

We propose to distribute the 200 seats in the following manner:

Muslims according to Congress-League Scheme ...	30
Indian Christians...	10
Submerged Classes	10
University of Madras	2
Zamindars	4
European Trade and Commerce	4
Indian "	4
Territorial Representation	136
Total	200

We have allotted 30 seats to the Muslim Community 2,740,408 (Population in 1911). The Congress-League Scheme gave them 15 per cent of the elected seats and we have adhered to that arrangement.

With regard to Indian Christians: they are an important minor community of about 1,150,000 who must be adequately represented.

There is a strong feeling in the country that the submerged classes should have special representation. They might find it difficult to come in through the ordinary electorates, because they are not likely to possess, to any appreciable extent, the educational and property qualifications that might be fixed for the ordinary voter.

It is highly desirable that electorates for special interests should be as few as possible, and therefore we have restricted them to the interests that are at present represented, with the exception of minor landlords, who would take their place in the general electorate. The special interests we have recognised are the Madras University, the Zamindars, and Trade and Commerce.

I.—Territorial Representation

The main factors that must be kept in mind in considering the distribution of seats on a territorial basis are:

(a) The Existing Administrative Units in the Presidency.

(b) The Distribution of Population.

(c) The Revenue Paying Capacity.

(d) Linguistic Differences.

(e) The Existence of Important Cities and Towns.

(a) *The Existing Administrative Units*

In fixing electoral areas the balance of convenience is decidedly in favour of retaining the existing arrangement of districts. They have taken a place in the imagination of the people, and local feelings and associations have grown up around them. The creation of artificial electoral areas will not only disturb the existing arrangements but would also entail the creation of an entirely new department for electoral purposes. We would, however, suggest one modification in the present system. Malabar, on account of its large population, might conveniently be divided into two electoral districts—Northern and Southern. Anjengo might be part of South Malabar. The City of Madras may also be regarded as a separate electoral district.

(b) *The Distribution of Population*

The population in the new electoral districts would range from about 118,000 in the Nilgriis to about 2,300,000 in some of the Tamil Districts. In fixing the number of representatives for each district, we have considered population as one of the chief factors.

(c) *The Revenue Paying Capacity*

The (land) revenue paying capacity of the district is another important factor in allotting the number of representatives to the several districts. The capacity rises from Rs. 126,054 in the Nilgiris to Rs. 5,565,464 in Tanjore. The figures are given

in detail per district in the following pages but they do not include the peishkush paid by Zamindars who have their own special electorates. Even if we included it in the revenue of the several districts, that would not seriously affect our reasoning for the particular allocation of seats.

(d) *Linguistic Differences*

In order to prevent undue representation of any particular district or districts solely on the basis of the foregoing considerations, it would be necessary to check the results thus obtained by a comparison with the claims of the several linguistic areas. The total number of representatives we have allotted for the various districts will approximate to the numbers that we have fixed for the linguistic groups as a whole on the basis of their total population and revenue paying capacity :

Language	Population	Revenue	No. of members
Tamil	16,647,167	25,568,638	56
Telugu	15,735,883	20,557,697	56
Malayalam	3,098,979	3,281,731	12
Canarese	1,547,777	2,412,648	6
Madras City			6
		Total	136

(e) *The Existence of Important Cities and Towns*

As the existence of prosperous cities in districts changes their relative importance, we have kept in mind this factor also in determining the number of representatives. In Great Britain this factor is recognised in the distinction between borough and county constituencies.

Thus it will be seen that our scheme is an adjustment of various considerations competing of conflicting nature and we have tried to estimate their relative value.

TERRITORIAL REPRESENTATION ACCORDING TO DISTRICTS

The following figures given in lakhs will guide us in fixing the numbers :

Districts	Population	Land Revenue	Abkari Imperial Revenue	Forest Revenue	No. of members
1. Ganjam	18·7	10·6	9·7	0·5	6
(Agency)	3·5				
2. Vizagapatam	21·6	4·9	15·4	0·5	6
(Agency)	10·2				
3. † Godavari	14·4	19·3	20·5	2·9	6
(Agency)	2·0				
4. Krishna	19·9	32·9	27·5	1·6	6
5. Guntur	16·9	47·4	6·5	2·8	6
6. Nellore	13·2	21·0	9·0	2·1	4
7. Cuddappah	8·9	12·0	9·0	1·8	4
8. Curnool	9·3	15·3	16·0	2·7	4
9. Bellary	9·6	15·8	16·9	1·8	6
10. Anantapur	9·6	11·2	17·0	3·4	4
11. Madras	5·1				6
12. † Chingleput	14·0	18·7	19·5	0·9	4
13. Chittoor	12·3	7·4	7·3	1·3	4
14. N. Arcot	19·6	26·4	23·4	3·0	4
15. † Salem	17·6	19·1	16·9	2·3	4
16. Coimbatore	21·1	29·6	29·0	3·5	6
17. † S. Arcot	23·6	36·1	15·0	1·6	6
18. ††† Tanjore	23·6	55·0	12·9		8
19. * Trichinopoly	21·0	25·3	9·0	1·0	6
20. * Madura	19·3	20·0	11·6	0·9	6
21. Ramnad	16·5	5·5	24·0		4
22. Tinnivelly	17·9	25.7	7·7	1·4	4
23. Nilgiris	1·1	1·2	29·1	0·8	2
24. † North Malabar				0·9	
25. South Malabar				1·8	
and Anjengo	30·2	32·8	10·7		16
26. South Canara	11·9	24·1	13·8	1·3	6

These figures are taken from the Census Report of 1911 and the Report of the Settlement of the Land Revenue of the Districts in the Madras Presidency for 1916-17.

We feel that of the six members for the District of Ganjam two at least should be Uriyas. In view of the persistent

* Indicates the presence of one town over 100,000 inhabitants
† " " over 50,000 and below 100,000.
††† " " three towns

demands of the Uriyas for special representation and their numerical strength in the district, this suggestion we think will be considered reasonable.

In this distribution of seats we have not aimed at anything like mathematical precision; but, taking all the different factors that we have mentioned into consideration, we have come to a conclusion which we hope will be deemed satisfactory.

It has been suggested that there should be an equal distribution of seats among the several districts. But although such a suggestion may be defended on the ground of uniformity, it violates every principle of justice.

II.—Communal and Special Representation

The constitution of electorates for Muslims, Christians, and the submerged classes presents a difficult problem. Muslims have a separate electorate, and if they insist on retaining the privilege, they ought not to participate, as the *Report* rightly observes, in the general election. This view is also supported by the Congress and the Muslim League agreement. We suggest to our Muslim brethren whether it would not be wise to claim communal representation without communal electorates. This opinion of ours is fully endorsed by the representative organisations of the Indian Christian community. Christians might get special representation in either of two ways:

1. By special electorates like the Muslims.
2. By special representation on the general electoral roll.

In the interests of national solidarity and for the reasons advanced against communal representation in the *Report*, we prefer the second method. The unequal distribution of Christians in the various districts makes the devising of a concrete scheme by no means easy. As will be observed from the fact that, whereas Tinnivelly and the Guntur Districts have a Christian population of about 175,000 and 123,000 respectively, Bellary, Anantapur and Chittoor have about 4400, 3600, and 4500 respectively. We propose to distribute

the seats fixed for Christians in either of the followings two ways:

(1)	Madras City	2
	The Tamil Districts	2
	The Telugu ,, ...	2
	Malabar	2
	S. Canara	2
(2)	The Tamil Districts	4
	The Telugu ,, ...	3
	Malabar	1
	S. Canara	1
	Madras	1

We have not considered the question of separate electorates for Muslims.

METHOD OF ELECTION

At the general election in each district all the voters in the roll—except those who have separate electorates e.g., Muslims—both Christian and non-Christian in addition to voting for district representatives should vote also for a Christian candidate or candidates. The votes in the linguistic area are to be taken together and the person or persons who get the largest number is or are to be declared elected.

We are in favour of this method of representation for the Indian Christian community in spite of the objection that may be urged against it on the ground that the Christian representatives so elected would be more representative of the general mass of electors than of their co-religionists. As it is far better for the Christian community to have its own representatives elected rather than nominated, this scheme would be worthy of consideration. Otherwise, if no communal electorates are to be constituted except the one existing for Muslims, nomination would be the only door left open. We may also point out that our scheme possesses its own advantages. They are:

1. The Indian Christian will take part in the general election of his district, and in case of keenly contested elections his vote might turn the scale.

2. He would also possess the right of standing as a candidate for election in the district. If he insists on a

special electorate, he will be debarred from this privilege.

3. This would facilitate the early removal of all communal representation which should be the final aim of all communities in India.

THE SUBMERGED CLASSES

The representation of the submerged classes presents almost insurmountable difficulties, notwithstanding the earnest desire of Indians of all classes to give them adequate representation. Every scheme we are able to devise violates the general principles which have guided us:

1. If it is desired to follow in their case the method of election by special electorates, we will be at the very outset confronted with the difficulty of finding a sufficient number of voters in each district who would satisfy the qualifications fixed for the ordinary voter.

2. To make the general body of voters elect a member of the submerged classes would involve the right of representation without practically any franchise.

3. To allow them to come on the electoral roll on a reduced franchise would involve the injustice of bringing voters with reduced qualifications on the same level with those with higher qualifications.

4. To constitute a separate electorate among them with the usual qualifications would imply the acceptance of the principle of separate electorates which has been considered and rejected.

5. The Legislative Council to select five out of a panel nominated by the submerged classes. Any 100 adult Panchamas may be allowed to nominate one to the panel.

Of these five methods, the last seems to us to be the least objectionable course to follow.

III.—COMMUNAL REPRESENTATION BY COMMUNAL ELECTORATES

By this expression we refer to the desire that there should be special representation for non-Brahmana caste Hindus. We are against communal representation for majorities. However, in

view of the expression of such a desire, the simplest and to us the least objectionable method of restricting the preponderance of the Brahmana element, would be to lay down that in every district not more than one Brahmana should be elected to the Legislative Council. If what this movement seeks is to check the preponderance of the Brahmana element in the Legislative Council, the method suggested would certainly meet the difficulty. At the most there can be only 25 Brahamana members.

If, on the other hand, it is desired that the various castes and sub-castes among the non-Brahmanas should be separately represented, we frankly admit we cannot find any practical scheme, nor would it be conducive to the best interests of the country. We give below some figures indicating the strength of the more important of the sub-castes. The figures are based on the census report for 1911.

(*a*) *Castes over One Million*

Castes					Total
1. Brahmana	...	...	...	about	1,310,360
2. Balija	...	...	...	"	1,041,000
3. Kamma	...	...	...	"	1,126,000
4. Kappu	...	...	...	"	2,668,000
5. Vellala	...	...	...	"	1,535,000
6. Palli ...	...	...	...	"	1,810,000
7. Parayan	...	...	...	"	1,369,000
8. Mala	...	...	...	"	1,511,000

(*b*) *Less than One Million and over* 500,000

1. Pallan	...	...	...	about	871,132
2. Viswakarma	(Tamil, Telugu Malayalam)			"	962,000
3. Shanan	...	...	...	"	642,000
4. Chakkiliyan	...	...	...	"	526,000
5. Golla	...	...	...	"	903,000
6. Idaiyan	...	...	...	"	734,000
7. Kallan	...	...	...	"	535,000
8. Madega	...	...	...	"	808,000
9. Odde	...	...	...	"	550,000
10. Thiyyan	...	...	...	"	649,000

(c) *Below* 500,000 *and over* 200,000

Castes		Total
1. Agamadeyan	about	349,000
2. Amballan	,,	213,000
3. Boya	,,	425,000
4. Cheruman	,,	264,000
5. Devanga	,,	286,000
6. Idega	,,	261,000
7. Kaikolan	,,	268,000
8. Khond	,,	267,000
9. Komati	,,	498,000
10. Kuruba	,,	231,000
11. Maravan	,,	364,000
12. Nayar	,,	412,000
13. Sale	,,	359,000
14. Teluga	,,	498,000
15. Tsakala	,,	387,000
16. Valangan	,,	357,000
17. Vannan	,,	242,000
18. Velama	,,	487,000

This rough classification of castes into three groups, according to their number, would reveal at a glance the insuperable difficulties that lie in the way of any detailed scheme of communal representation. Even if we proposed to divide the people of this Presidency according to castes without making any arrangements for territorial electorates, we would have to allocate seats (1) to the castes numbering more than a million of which there are about 8, according to their numerical strength, (2) to the castes numbering less than a million and over 500,000 of which there are about 10, in proportion to their numbers, and (3) to those who are over 200,000 and less than 500,000. These are about 18 in number. This extraordinary scheme will involve the classification of the population into about 37 main groups, not living as homogeneous groups in well-defined areas, but scattered over the entire province and sub-divided into many smaller sub-castes. Even if we make Herculean efforts to perform the impossible and succeed in some measure, our task is not at

an end. There are many smaller castes, numbering less than 200,000 and over 100,000 for whom provision will have to be made in any electoral scheme, based upon differences of castes. What, again, shall we do with the still smaller groups? The argument is not for a mere *reductio ad absurdum*; but, while no practical politician can shut his eyes to the existence of facts, he will also be obliged by the mere limitations of human ingenuity to abandon a proposal which, to say the least about it, will be found impracticable. Again, the statesman is, no doubt, under the necessity of recognising the existence of these castes and sub-castes, but he is not under any political or moral obligation to invest them with political sanctions and values. It is difficult to understand on what grounds you can force a Balija of the southern districts to vote along with a Balija of the north. There is the further difficulty that there are no hard and fast rules by which a man's caste can be determined. In cases of false personation, it will be necessary to institute an electoral court to go into delicate and wearisome arguments to decide whether a man belongs to one caste rather than to another. No political thinker who is anxious that a modern democracy ought to give to all communities in a State their due share of political power will lightly dismiss the proposal for communal representation on the scale sketched by some of its advocates, but for the utterly hopeless nature of the task. Some ingenious thinkers would try to solve the difficulty of the representation of smaller groups of less than 200,000 by grouping a number of them into large divisions, for the purpose of enabling them to reach the number of group (c). They have not suggested any natural and intelligible principles for bringing together divergent social units on the same electoral register. Nor have the communities expressed any such desire as is implied in this arbitrary blending. With the most sincere respect for the advocates of caste representation, we have found it impossible to work out a practicable and satisfactory scheme. Further, holding as we do, that communal representation is an unavoidable evil and temporary expedient, we would suggest to our countrymen the desirability of doing away with all special and communal electorates after two general elections under the new scheme.'

4-4-938

THE FRANCHISE

THE ELECTIVE SYSTEM BEFORE THE ADVENT OF BRITISH RULE

IN considering the conditions of franchise applicable to India as a whole and to this Presidency in particular it will be useful to enquire whether the elective system obtained in any part of India before the advent of the English. Those who assert that representative institutions, that is to say, institutions based upon the free choice of the people of leaders who are to be entrusted with legislative and executive functions, did not exist in India, do not seem to have paid sufficient attention to the pre-British records, and have, therefore, mainly drawn their conclusions from the scanty and imperfect observations of eary English settlers in India. It is hardly necessary to refer at this time of day to the discoveries that have been made of the existence of republics in ancient India by students of the Buddhist period. Professor Rhys Davids says in his *Buddhist India.*

The administrative and judicial business of the clan (Sakyas) was carried out in the public assembly at which young and old were alike present, in their common mote Hall (Santhagira) at Kapilavastu. It was at such a Parliament or Palaver that King Pasenode's proposition was discussed . . . . A single chief . . . . was elected as office-holder presiding over the sessions, and if no sessions were sitting, over the State. He bore the title of Raja which must have meant something like the Roman Consul or the Greek Archon. The earliest Buddhist records reveal the survival, side by side with more or less powerful monarchies, of republics with either complete or modified independence . . . . The Buddhist records, amply confirmed in these respects by the somewhat later Jain records, leave no room for doubt.

This fact was recognised by Lord Acton, one of the most qualified authorities on such a topic, who said that it was in India that the germs of the representative institutions which

later on found such a congenial soil in the West first took their rise. After describing the conceptions of Liberty that prevailed in the ancient world in the West, Lord Acton proceeds as follows:

> But in all that I have been able to cite from classical literature, three things are wanting—representative government, the emancipation of the slaves, and liberty of conscience. There were, it is true, deliberative assemblies, chosen by the people; and confederate cities, of which, both in Asia and Africa, there were so many leagues, sent their delegates to sit in Federal Councils. But Government by the elected Parliament was even in theory a thing unknown. It is congruous with the nature of Polytheism to admit some measure of toleration. And Socrates, when he avowed that he must obey God rather than the Athenians and the Stoics, when they set the wise man above the law, was very near giving utterance to the principle. But it was first proclaimed and established by enactment, not in polytheistic and philosophical Greece, but in India, by Asoka, the earliest of the Buddhist Kings, two hundred and fifty years before the birth of Christ.

We shall content ourselves with referring to certain researches in this Presidency, made by the Superintendent of the Archæological Department, which bring back to us, after the lapse of hundreds of years, the existence of the elective system and the means by which it was worked.

Sir C. Sankaran Nair in the course of an article in the *Modern Review* says:

> "Representative Government is so constantly alleged to be abhorrent to the spirit of the East that I shall quote *in extenso* the rules for election for one of these (Village) Assemblies from the Report of the Archæological Superintendent for 1904-1905, pp. 131-145. These rules are said to have been promulgated in A.D. 918-919 and 920-921."

The extracts he made are printed below:

> (Lines 1-2) Hail! Prosperity! On the sixteenth day of the fourteenth year of King Parakesarivarman who conquered Madurai (i.e. Madura)—whereas a royal letter of His Majesty, Our Lord, the glorious Viranarayana, the illustrious Parantaka Deva, the prosperous Parakesarivarman, was received and was shown to us, we, the (members of the) Assembly of Uttarameru Catur-Vedimangalam in its own sub-division of Kaliyurkottam, Karanjai Kondaya-Kramavitta-bhattan alias Somasiperuman of Srivanganagar in Purangarambhai-Nadu (a district) of the Chola Country, sitting (with us) and convening the committee in accordance with the (royal) command, made a settlement, as follows, according to (the terms of) the royal

letter for choosing one every year from this year forward (members for) the "Annual Committee," "Garden Committee" and "Tank Committee". (Lines 2-31.) There shall be thirty wards.

2. In (those) wards, those that live in each ward shall assemble and shall choose for "pot-tickets" (kudavolai) (any one possessing the following qualifications):

(a) "He must own more than a quarter (veli) of tax-paying land.

(b) He must live in a house built on his own site.

(c) His age must be below 70 and above 35.

(d) He must know the Mantrabrahmana i.e., he must know it by teaching (others).

3. Even if one owns one-eighth veli of land, (he shall have) his name written on the pot-ticket to be put into the (pot), in case he has learnt one Veda and one of the four bhasyas by explaining (to others).

4. Among those (possessing the foregoing qualifications) (i) only such as are well conversant with but business and are virtuous shall be taken and (ii) one who possesses honest earnings, whose mind is pure and who has not been on (any of) the committees for the last three years shall also be chosen.

(Lines 4-6) One who has been on any of the committees but has not submitted his accounts and all his relations specified below shall not have (their names) written on the pot-tickets and put into the pot.

1. The sons of the younger and elder sisters of his mother.
2. The sons of his paternal aunt and maternal uncle.
3. The uterine brother of his mother.
4. The uterine brother of his father.
5. His uterine brother.
6. His father-in-law.
7. The uterine brother of his wife.
8. The husband of his uterine sister.
9. The sons of his uterine sister.
10. The son-in-law who has married his daughter.
11. His father.
12. His son.

(Lines 6-9) (a) One against whom incest (Agamyagaman) or the first four of the five great sins are recorded; and

(b) All his relations above specified shall not have (their names) written on the pot-tickets and put into (the pot).

(c) One who has been outcast for association (with low people) shall not, until he performs the expiatory ceremonies, have (his name) chosen for the pot-ticket.

(d) One who is foolhardy . . . shall not have (his name) written on the pot-ticket to be put into (the pot).

(e) One who has stolen the property of others shall not have (his name) written on the pot-ticket to be put into (the pot).

(f) One who has taken forbidden dishes of any kind and who has become pure by performing the ghee expiation shall not to the end of his life have (his name) written on the pot-ticket to be put into (the pot) for the committees.

(g) One who has committed . . . . . sins and has become pure by performing expiatory ceremonies.

(h) One having been a village pest has become pure by performing expiatory ceremonies.

(i) One who is guilty of incest and has become pure by performing expiatory ceremonies; all those specified shall not, to the end of their lives, have (their names) written on the pot-ticket to be put into (the pot) for (any of the) committees.

(Lines 9-11) Excluding these thus specified, names shall be written for "pot-tickets" in the thirty wards. Each of the wards in these twelve streets (of Uttaramallur) shall prepare a separate covering ticket for (each of the) thirty wards handled separately. (These tickets ?) shall be put into a pot. When the pot tickets have to be drawn, a full meeting of the great assembly including the young and old (members), shall be convened. All the temple priests (nambimai), who happen to be in the village on the day, shall without any exception whatever, be caused to be seated in the inner hall, (where) the great assembly (meet). In the midst of the temple priests, one of them who happens to be the eldest, shall stand up and lift that pot, looking upwards so as to be seen by all people. One ward (i.e., the packet representing it) shall be taken out by any young boy standing close, who does not know what is inside, and shall be transferred to another (empty) pot and shaken. From this pot one ticket shall be drawn (by the young boy) and made over to the arbitrator (Madhyastha). While taking charge of the ticket thus given (to him) the arbitrator shall receive it on the palm of his hand with the five fingers open. He shall read out (the name on) the ticket thus received. The ticket read by him shall (also) be read out by all the priests present in the hall. The names thus read out shall be put down (and accepted). Similarly one man shall be chosen for (each of the thirty wards.

(Lines 11-13) Of the thirty men thus chosen, those who had (previously) been on the "Garden Committee" and on the "Tank Committee," those who are advanced in learning, and those who are advanced in age, shall be chosen for the Annual Committee; of the rest twelve shall be taken for the "Garden Committee" and the remaining six shall form the "Tank Committee". These last two Committees shall be chosen by the Karai. The great men of these three commitees thus (chosen) for them shall hold office for full three hundred and sixty days and then retire. When one who is on the committees is found guilty of (any) offence, he shall be removed (at once). For appointing the committees after these have retired, the members of the "Committee for Supervision of Justice" in the twelve

streets (of Uttaramallur) shall convene an assembly (kuri) with the help of the arbitrator. The committees shall be appointed by drawing pot-tickets . . . . according to this order of settlement.

(Lines 13–16) For the "Pancavara Committee" and the "Gold Committee" names shall be written for pot-tickets in the thirty wards, thirty (packets with) covering tickets shall be deposited (in a pot) and thirty pot-tickets shall be drawn (as previously described). From (these) thirty tickets twelve men shall be selected. Six out of twelve (thus) chosen shall from the "Gold Committee" and the (remaining) six the "Pancavara Committee". When drawing pot-tickets for these two committees next year the wards which have been already represented (during the year in question) on these committees shall be excluded and the selection made from the remaining wards by drawing the kari. One who has ridden on an ass and one who has committed forgery shall not have (his name) written on the pot-ticket to be put (into the pot).

Any arbitrator who possesses honest earnings shall write the accounts (of the village). No accountant shall be appointed to that office again before he submits his accounts (for the period during which he was in office) to the great men of the big committee and (is declared) to have been honest. The accounts which one has been writing he shall submit himself, and no other accountant shall be chosen to close his accounts." (Line 16) "Thus from this year onwards, as long as the Moon and Sun endure, committees shall always be appointed by "pot-tickets" alone. To this effect was the royal letter received and shown (to us), graciously issued by the Lord of Gods, the Emperor, one who is fond of learned men, the wrestler with elephants, the crest jewel of heroes, whose acts, (i.e., gifts) (resemble those of the) celestial tree, the glorious Parakesarivarman.

(Lines 16–17) At the royal command Karanjai Kondayakramavittabhattan alias Somaciperuman of Srivanganagar in Purangarambhai Nadu (a district of the Cola Country) sat with (us) and thus caused (this settlement) to be made."

(Lines 17-18) We the (members of the) assembly of Uttarameru-Chaturvedimangalam, made (this) settlement for the prosperity of our village in order that wicked men may perish and the rest may prosper.

At the order of the great men sitting in the assembly I, the arbitrator, Kadadipottan Sivakkuri-Rajamalla-Mangalapriyan, thus wrote the settlement.

Sir C. Sankaran Nair concludes his article with the remarks:

"It is interesting to observe that ladies were eligible for election and a lady was a member of a Committee of Justice. (Report for 1910, section 35, p.93.) Other Village Assemblies appear to have consisted of cultivators and merchants. The Archæological Superintendent surmises that the same rules applied to them, except knowledge of the Vedas. (Report for 1912-13, p.93)

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"After this who can say that representative institutions and Self-Government are a foreign importation?"

The Village System

The village system and its survival even to this day in spite of strong tendencies towards excessive centralisation, point to the hold that the elective system has upon even the ordinary villager. It is hardly necessary in this place to dilate upon what must be familiar to every student of Indian institutions. If modern instances were wanted, they would be furnished by the caste assemblies that meet to discuss and decide questions relating to caste matters, and the Panchayats which are appointed to settle disputes concerning property among brothers or cousins. This happens even to-day in spite of the obvious inducements to launch upon the uncertain sea of litigation. We are, therefore, decidedly of the opinion that the vote will not be an unheard of and startling innovation, and will, on the contrary, be readily understood by the ordinary people, and, what is more to the purpose, adopted and assimilated by them without any difficulty.

Local Self-Government and the Vote

In British India ever since the Viceroyalty of Lord Ripon, Local Self-Government has made the people familiar with the elective franchise in districts, important towns, and the presidency cities. We do not, of course, maintain that the wide extension of Local Self-Government should precede any substantial measure of electoral reform, for the stimulus to such an expansion of municipal life must emanate from the Provincial Legislature, as will be seen from the fact that it was only in 1831, a year before the first Reform Act, that a real attempt to reform the institutions of Local Self-Government took place in England. As it is intended by the authors of the Report to grant the fullest powers to local bodies, and to free them from external official control as soon as the Reformed Councils come into operation, the introduction of the franchise

for election of members to the Legislative Council will be analogous to the first Reform Act of 1832 which preceded the Municipal Act of 1835. It is needless in this place to dwell upon the many and various abuses in England which the Municipal Act of 1835 swept away; and this beneficial reform occurred because new life had been infused into the political consciousness of the English people by the Reform Act of 1832 and the unprecedented political agitation which culminated in it. But for the reformation wrought by this measure in the constitution of constituencies and the franchise which enabled the hitherto unenfranchised classes to take their proper place in the Government of the country, the evils with which the close corporations had become entrusted would have had a longer lease of life. Erksine May writes about the Municipal Act of 1835 and its dependence on the Reform Act of 1832 as follows:

> But the worst abuse of these corrupt bodies was that which too long secured their impunity. They were the strongholds of Parliamentary interest and corruption . . . . . . the Corporations were safe so long as society was content to tolerate the notorious abuses of Parliamentary representation. The Municipal and Parliamentary organisations were inseparable, both were institutions by which the Crown, aristocracy, and political parties had dispossessed the people of their constitutional rights; and they stood and fell together.

The Reform Act of 1832 took away the privileges of these Corporations and conferred them on the middle classes who had risen to great wealth and importance. Though our local bodies are fortunately far from being "the strongholds of corruption" which the English Corporations were, before 1835, it cannot be doubted that they will become stronger and more efficient in proportion to the interest which the large mass of the people are induced to take in provincial matters as distinct from local and district administration.

A more generous grant of independence to these local bodies would have by this time led to the almost universal diffusion of the municipal franchise. The small progress that has been made in this direction cannot now be urged as a plea for refusing the right to vote at elections to the Legislative Council, or limiting it to a small fraction of the people. We have given on page 9 the statistics relating to the number of

voters who take part in electing the 21 elected members to the existing Local Council, which we reproduce here:

No. of Members	Constituencies	Electors
9	District Boards and Municipalities	3369 (about)
2	Zamindars	277
2	Minor landholders	2313
1	Landholders of Malabar and South Canara	444
2	Muhammadans	1368
1	Madras University	180
1	Trades Association	22
1	European Chamber of Commerce	40
1	Planter elected by 13 affiliated associations whose individual membership is not large.	

The utter inadequacy of this number will be apparent to everyone who reflects upon the size of population and the imperative need that there is of bringing as large a section of the people as possible on the training-ground of provincial elections.

The Strength of the Provincial Council

In considering what proportion of the population in this Presidency ought to participate in direct elections, the following figures relating to the franchise in other countries will be found useful:

Country	Total Population	Population represented by one member	No. of members
The United Kingdom	45,370,530 (1911)	67,000	670
The United States	91,972,266 (1910)	210,000	435 (1912)
Alabama	2,332,608 (1910)	20,000	106
Maine	772,489 (1916)	5000	151
New York	10,273,375 (1916)	70,000	150
Ontario	2,523,274 (1911)	20,000	111
Quebec	2,003,232 (1911)	25,000	81
New South Wales	1,648,746 (1911)	18,000	90
Tasmania	191,211 (1911)	6000	30
Natal	98,114 Whites	4000	25
Transvaal	420,562 Whites	10,000	36
Japan	55,965,292 (1916)	136,522	379

From the foregoing figures it will be evident that there are two principles in operation in fixing the number of representatives: First, the larger the population, the larger the number of people represented by a member; and the smaller the population, the smaller the number of inhabitants represented. Secondly, the population in a Province for which a Legislature is to be constituted should be taken as a criterion for determining its strength. It will be observed that the Provincial Legislatures of the Provinces and States, referred to in the above list, are so constituted as to make the individual member responsible to a decent and well-defined part of the population; and one method of bringing home his responsibility to the member is to make him stand in direct relation to a body of people who should not be so numerous as to be beyond his capacity to deal with. In the United Kingdom there is 1 member for about every 67,000. And in the United States there is 1 member to every 210,000 in the House of Representatives. These two are not Provincial Legislatures, but National Councils. But when we come to the Provincial Legislatures, we cannot but be struck by the smallness of number of inhabitants represented by 1 member. The population of the Presidancy is about 42,000,000. We would suggest 250 for the Local Council; and, on a fair examination of all the facts and circumstances, this number cannot be considered excessive. The enlargement of the Council will have the effect of not only giving real representation to the people, but will make the constituencies to take a wider survey in the choice of representatives. This works out at the rate of 168,000 to one member, which will probably be the largest number of citizens represented by a member in any Provincial Legislature of the world.

Qualifications of Voters

In determining the qualifications of electors, we shall be guided solely by considerations of public good and practicability, not putting too severe a strain upon the electoral machinery, to start with. We urge universal franchise not only as an ideal but as a practicable and feasible measure of electoral reform.

The following points weigh with us in advocating adult suffrage:

(1) According to the M.C. Scheme, the ultimate functions of Government are reserved to the Executive, constituted as at present. Even over those subjects that will be transferred to the control of the elected members of the Council, the Governor exercises his powers of general supervision. Should adult suffrage be introduced at once, all classes of the people will come to take an active interest in Provincial matters that are transferred to the Legislature. But should it come at a latter stage, as it must, large bodies of men would be for the first time given the power in the management of not only the transferred but the more important reserved subjects, like police, justice, and order. This could be avoided by adopting our suggestion from the commencement.

(2) We, in the midst of tumbling monarchies and autocracies in Europe, must be alive to the new ideas that are now surging through the world. The unenfranchised classes are coming to their own everywhere and by methods which we would not like to see adopted in India. We cannot now stand by old world shibboleths about property qualifications, literacy, etc. It must be recognised that an Indian, as an Indian, has a "stake" in the country, and a right to take part in the Government of the land.

(3) The democratic ideals that lie at the root of the principle of universal suffrage are known to the people, and are given effect to by them, as may be observed, in the transactions of their social and communal life.

(4) The prevailing religious views of man in this country as a being essentially related to the Divine constitutes the basis of the democratic ideal. The average Indian is fully cognisant of the sanctity and worth of other peoples' rights in a country where the doctrine of religious toleration has been practised from the most ancient times.

We fear, however, that the Franchise Committee is likely to consider universal suffrage an impracticable proposition and we therefore propose an alternative scheme.

The conditions of franchise in the States and countries mentioned belows will afford suggestions as to the basis on which we shall have to proceed:

The United Kingdom before the New Act.—1. Freehold of the annual value of 40 shillings.
2. Lands in life tenure of the annual value of £5.

3. Leaseholds of various terms of years.
4. Poor rates.
5. Occupiers of houses, rates and lodgings of the value of £10.
6. Other Franchises.

New Zealand.—Every citizen who has entered on his 21st year.

Tasmania.—All natural born and naturalised subjects continuously residing for over 12 months.

France.—Manhood suffrage 6 months' residence in any one town or commune.

Norway.—Every citizen of 25 years of age and who has resided for 5 years in the country. Women entitled to vote.

Denmark.—Universal suffrage.

Austria-Hungary.—For the Lower House universal equal and direct suffrage, all man citizens over 24 years of age who have resided for at least 1 year.

Russia.—Universal suffrage.

Switzerland.—Every citizen who is 21 or above may vote.

Germany.—For the Reichstag of the Diet universal manhood suffrage.

Italy.—In 1912 universal suffrage for men above 21, denies suffrage to those younger than 30 who have neither performed their military duty nor learnt to read and write.

Japan.—Electors are (1) male Japanese subjects of not less than 25 years and paying a direct tax of not less than 10 yen. (1 yen = Rs. $1\frac{1}{2}$.)

The United States.—The franchise is not absolutely universal. Residence for at least one year in most States is necessary. In some States the payment of taxes, while in others registration is required. Many western States admit to the franchise unnaturalised persons who have formally declared their intention to become a citizen. Several of the southern States have adopted methods with the express and avowed purpose of excluding the Negroes from the franchise, and yet avoiding the constitutional consequences of discriminating on account of race, colour or previous condition of servitude. Untaxed Indians are excluded from the franchise. In most States, convicts, and in some, duellists and fraudulent voters are also excluded. In Massachusetts, voters are required to read English. In some southern States they are required to give a reasonable explanation of what they read. Several States admit women on the franchise.

Maine.—All registered male citizens of the U.S.A., 21 years of age, who can read English and write their own name.

New York.—Every citizen of 21 years of age who has been a citizen for 90 days, and resident in the State for 1 year before the election.

California.—Citizenship for 3 years and residence in the district for 1 year.

From the above facts we infer points viz., that the property qualifications are either made as low as possible to suit the conditions of the people, or there are no such quafications except citizenship natural or acquired. Keeping in mind the fact that the people of India are comparatively poor, we have to settle the qualifications for voters.

General Qualifications and Disqualifications

We would give the vote to all of 21 years and over, not declared of unsound mind at the time of election, who are British Indian subjects, or have acquired British Indian citizenship by naturalisation, have resided for a period of one year in the constituency; and have not been sentenced for the commission of offences, definitely involving moral turpitude.

Age.—The age that we have laid down above is the legal age of majority in India. In other countries (including the United Kingdom and the Dominions), the legal age for validating contractual transactions is also fixed as that from which a man may begin to exercise his political privileges. Considering the comparative shortness of human life in this country, the 21 year limit may will be considered too high; and any further increase of the age-limit will deprive even fathers and mothers of a right which they would have learnt by that time to exercise with intelligence.

Naturalisation.—It is noteworthy that in all civilised countries citizenship, either natural or acquired, is deemed a fundamental prerequisite to the exercise of the franchise. In the matter of naturalisation of aliens in India, we accept the principle of reciprocity. We need not deal with this question further, since it is discussed in detail in a separate paper in this volume.

Sentenced.—We would exclude from this category all those who have been found guilty of offences of a purely political

nature and such of those crimes in the Penal Code as can be compounded. It should not rest with the Local Government or the Government of India during the transitional period to disqualify voters who might be otherwise qualified, merely because they have been guilty of any other offences which may be created by an act of the Legislature.

SPECIAL QUALIFICATIONS FOR VOTERS:

(1) All those who pay the income-tax, or the professional tax.

(2) Graduates of all Indian and foreign Universities recognised by their respective Governments.

(3) Any person paying land revenue directly.

(4) Occupants of houses and premises of the annual rental value of Rs. 48 in municipal areas and Rs. 24 in non-municipal areas.

(5) Tenants of Zamindari and Raiyatwari holdings paying Rs. 10 as rental.

The chief consideration in determining the qualifications of voters in all progressive countries is whether the voter will exercise the vote intelligently, and choose the men who by their capacity and character are best qualified to represent their views and safeguard their interests. The peasantry of India, though living in very strained circumstances, have a great deal of prudence and they have, though they may be illiterate, a culture of their own which has been handed down through generations. Those who have lived among them will confirm the truth of their remarks. The newspaper *Indiaman*, published in London, wrote the following sometime ago: "There is no reason to doubt the political capacity of the Indian peasant, but at present it is latent, and it must be gradually drawn out, in fact, educated." The peasant class is not responsible for the illiteracy that prevails among them, for they have not been given the necessary opportunities. It was not possible even for one of the distinguished talents and undoubted patriotism of a leader like the late Mr. G. K. Gokhale to persuade the Government of India to accept a modest measure such as his Bill for Free and Compulsory Education,

intended mainly for the improvement of the large mass of the people. Popular leaders without any exception have been anxious to promote the cause of education, but their efforts have not yet found acceptance at the hands of the Executive. It is our deliberate conviction that by enfranchising the peasant classes and arming their representatives in Council with their authority the demand for all these measures which are calculated to improve their moral and material conditions will grow more irresistible. Our opinion is supported by the fact that it was only after the passing of the second Reform Act of 1867 that the education of the masses became a more pressing problem and received the sanction of the House of Commons. The first Education Act was passed in 1870, and since then a solid body of laws for the amelioration of the working classes has been put on the statute book.

The State of Education in England Before 1867

Professor Thorold in his book *The British Citizen* writes as follows:

> I do not believe that 100 years ago more than one man in ten or one woman in twenty knew how to read and write . . . . Going another century or two back, the people of England . . . . , with the exception of a mere handful were steeped in the grossest ignorance and yet there was a House of Commons.

Take also the following statements from Mr. Henry Craik's *State and Education*:

> In the year 1845 only about one in six, even of the children at school, was found able to read scriptures with any ease. Even for these the power of reading often left them where they tried a secular book.
>
> The teaching of the schools was in the hands of men who had scarcely any training and who had often turned to the work because all other work had turned away from them.
>
> In some parts of the kingdom (and these by no means the most backward) it was calculated that (in 1845) about 5 per cent of the population only were at school.
>
> In 1803 statistics had shown 1 boy in $17\frac{1}{2}$ at school; in 1833, 1 boy in $11\frac{1}{4}$; in 1851, 1 in 8·36, and in 1858, 1 in 7·7.

Lord Durham, in his famous Report on Canada, bewails thus the illiteracy prevailing among its inhabitants before Self-Government was granted to them:

> It is impossible to exaggerate the want of education among the inhabitants. No means of instruction have ever been provided for them and they are almost, and universally, destitute of the qualifications even of reading and writing. A great proportion of the teachers could neither read nor write.

We are for extending the franchise as widely as possible, and making the qualifications low enough; and the argument based on the illiteracy of the general mass of the population is untenable, as a mere knowledge of the 3 R's alone is no criterion that they would make an intelligent use of the franchise. Students of political institutions are perfectly familiar with the fact that even in countries where there is universal adult suffrage, corruption and indifference are not uncommon; for in countries where party politics and party organisations control all electoral contests, as is usually the case in all democratic countries, the individual voter responds to the party wire-puller, adopts the views of a party. This is even considered a positive advantage.

It is, of course, to be expected that our plea for widening the electorate as broadly as possible will be met by the expression of serious apprehensions that demogogues, playing upon the popular imagination and passions, will get into the Council and do great injury to the cause of steady and good government. We shall not attempt to meet this argument based upon imagination by any elaborate reasoning. It will be enough to point out that similiar gloomy forebodings were the order of the day whenever the franchise was attempted to be reduced in Britain so as to give the vote to the disenfranchised classes. During the agitated times preceding the Reform Bill of 1832, the opponents of the measure indulged in utterances expressing the most anxious fears for the monarchy, the aristocracy, and for England itself. But these all turned out, as events proved, utterly groundless. The following extract from a speech delivered by the Earl of Shaftesbury in the House of Lords on the second reading of the Reform Bill of 1867 will further indicate the nature and extent of the dangers that were expected to arise from that measure.

Referring to the ameliorating effects of education upon the working classes, he said:

> Another hope held out is that of education. I am sure I shall not be misunderstood when I say that the hope of education is the most fallacious that could be entertained at present. If you could give us ten years of preparation education might do a great deal; but what you are going to do is this, to give the franchise before you give education, whereas you should have given education before the franchise. It will take ten years to bring up the residuum by education; but it will not take six months for them, through their representatives, to destroy everything that comes before them. I must say, when I look at the state of this vast population, when I know what they are, how easily they are deluded, how impressible and open to influence they are, I think that this gift of the suffrage is one of the most fatal gifts ever bestowed upon an uneducated people. In the interest of the people you ought to have withheld it for some years. Depend upon it, there will be no lack of rich, unscrupulous candidates, desirous of social position, and they will find the new voters purchasable as a flock of sheep. I am certain, you will find, to your great regret in future, that by this measure, instead of promoting purity, you have unwillingly extended the worst political corruption. . . . if in a time of distress and difficulty demagogues should bring their influence to bear upon them, they would, in the plenitude of the power, assail almost every existing institution. . . . Our position is, indeed, full of misgivings and fears. We are bringing, suddenly and roughly, old England into collision with young England; ancient and venerable institutions to be tried without notice or preparation, by poverty, levity, and ignorance, and by many, who, being neither poor, nor vain, nor ignorant, are yet too full of hot blood, effervescing youth and burning ambition, to be calm, dispassionate and just.

The following passages written by such a shrewd writer as Walter Bagehot in his book on *The English Constitution* will add weight to the considerations that we have urged. Writing in 1872 in the Introduction to the second edition after the Reform Act of 1867 he said:

> I have said that Cabinet Government is possible in England because England was a deferential country. I meant that the nominal constituency was not the real constituency; that the mass of the "ten-pound" householders did not really form their own opinions, and did not exact from their representatives an obedience to those opinions; that they were in fact guided in their judgment by the better educated classes; that they preferred representatives from those classes, and gave those representatives much license

Again he says:

> I do not of course mean that the ten-pound householders were great admirers of intellect or good judges of refinement. We all

know that, for the most part, they were not so at all; very few Englishmen are. They were not influenced by ideas, but by facts; not by things impalpable, but by things palpable. Not to put too fine a point upon it, they were influenced by rank and wealth.

Bagehot doubted very much whether the working classes, both skilled and unskilled, enfranchised by the Reform Act of 1867, would submit to their betters as the older electors used to do. The following was his opinion of the new voters. "The average can only earn very scanty wages by coarse labour. They have no time to improve themselves; for they are labouring the whole day through; and their early education was so small that in most cases it is dubious whether even if they had much time, they could use it to good purpose." He was strongly of opinion that these classes needed the guidance of statesmen in the exercise of the franchise. Such were the opinions and fears entertained by so great a writer as Bagehot, and we are sure that the leaders of the Labour Party will now smile at the gloomy views which he held, and also at the idea that they needed guidance from their betters.

Even during the course of the War the Report of the Speaker's Conference, admitting large sections of the male population and several millions of women to the suffrage, has been regarded as full of grave dangers to the future of England. Not a good measure has been passed or will be passed which has not had and will not have prophets of evil omen.

In addition to an intelligent, sober, and industrious peasantry, we have 2,274,864 literates in the Madras Presidency of 20 years and over, of whom 196,808 of 20 years and over are literate in English. This works at the late of 1 literate out of 18 of the population. This is by no means a negligible factor in defining the number of electors and their qualifications.

The Limited Powers of the Provincial Council—A Safeguard

Further, there is one all-sufficing safeguard against the dangers alleged to arise from a wide franchise. Under the scheme those branches of the administration, dealing with public safety and law, are intended to be reserved to the Executive Government; and even those departments that are

to be transferred to the elected members will be so much under the control of the Governor that it is not likely that any innovations will be attempted which are detrimental to public interest. This element of the new Reform Scheme, combined with the wide diversity of interests that will be represented in the Council, can be absolutely depended upon to secure an assembly of very moderate, cautious and conscientious Councillors.

Property Qualifications

The principle which will naturally guide us in fixing the pecuniary qualifications of electors is that contained in the maxim, "No taxation without representation." All those who contribute to the receipts of the State ought, under this principle, to be given a voice in determining who will impose the taxes that they may be called upon to pay. This is a just and well recognised principle; and it has been the basis of all extensions of the franchise in Britain where, more than in any other democratic country of the modern world, property and the burdens thrown upon it by the State have been regarded as the most stable and the safest ingredient in national life. This has been so uniformly acted upon that it was regarded as the sole test of a man's fitness to be entrusted with the vote even without any educational qualification. In 1867 when it was proposed to give the vote to householders occupying houses of less than £10, it was sought by the Government of the day to reduce the risks attendant upon this experiment by coupling it with an educational qualification; but it did not meet the approval of the House of Commons. It was thought that a mere occupation of a house by one paying rates was sufficient without any additional test of fitness. In 1869 even the personal payment of rates ceased to be necessary. In 1885 a further extension of the franchise took place. According to Ilbert, "the most important franchises are the three forms of occupation franchise; (1) The qualification of the occupier of a dwelling house, (2) that of the occupier as lodger of lodgings of the yearly value of £10, (3) that of the occupier of any land or tenement of the yearly value of £10." Throughout the history of Parliament the right to vote has not been

personal but has, as a rule, depended on the ownership or occupation of land or dwelling-place. Now the franchise is based upon residence for 6 months. These considerations would support the view that all those who pay taxes in any form, and pay directly or indirectly rates or revenue, should be enfranchised.

We have not demanded universal suffrage franchise in view of the fact that such a franchise will be regarded as too sweeping in its character, though it is for those who allege that the people of India will be placed under an oligarchy of the educated or of the propertied classes to assign reasons for not bringing every adult on the electoral roll. Their solicitude for the well-being of the masses should welcome every suggestion which will make the masses decide the issues of elections. The restriction of the vote to those who pay taxes, although it would diminish the number of voters by some hundreds of thousands, will be found, we hope, satisfactory in the opinion of those who are afraid that universal suffrage will be misused, and that the masses will be led away by electioneering agents and the operations of non-political influences.

Graduates

We include graduates among the voters for the simple reason that, having had the advantages of western education, they will be a safe and intelligent class. Most of them will probably have some property, and will not be altogether without what are called "stakes" in the country.

Woman's Suffrage

We cannot pass over the claims of women to the franchise. The ordinary objections to it are now no longer of any importance, after the enfranchisement of women by the new Reform Act. The Indian National Congress passed the resolution "that women possessing the same qualifications as are laid down for men in any part of the scheme shall not be disqualified on account of sex" It may be said that the custom of *purda* will operate in the direction of preventing women from effectually using the vote. What is urged in this place is that women

should be placed on the same level as men; and as no laws are to be enacted making it compulsory on the voter to exercise his right, such women as are under this system will not be put to the necessity of violating them. But all the difficulties that may arise from this cause can be met by the appointment of women as attesting officers. We are of opinion that it is hardly just to disqualify those of the other sex who do not observe *purda* for the sake of those who do. If it is said that this will work injustice to the male electors in those parts of India where *purda* is not observed, we answer that this cannot be regarded as a legitimate ground of complaint. It is the universal tendency in all democratic countries to enfranchise women; and it may be safely conjectured that the consciousness of possessing the right to vote may enable women to get rid of those restrictions that now hamper their movements. It has been said that even in Turkey the War has led to the employment of women in post and telegraph offices. The franchise to women may, therefore, be left to operate in the direction of breaking insensibly those fetters by which they have hitherto been bound. The best mind of India has declared itself emphatically in favour of this reform and we do not see why any legislative provision should recognise the validity of any such custom as will debar women from playing their part in the development of Indian political life.

Probable Number of Voters

It is not possible to give an idea of the exact number of inhabitants of the Presidency on the basis of the data that are available to the general public. The following figures may assist us in making as rough approximation to the number as the circumstances will permit:

A	Total population according to census of 1911.	41,829,232
	Total population according to census of (1916-17).	43,817,734
	Total population according to census of above 20 years.	22,000,000 (about)
	Total population according to census of literates over 20 years.	2,304,197 (1911)
	Total population according to census of literates over 20 years in English.	198,355 (1911)

Raiyatwari Holdings

Source	Group	Item	Number
Land Revenue Administration 1916–1917	B	Total population of Pattadars.	4,222,543
	B	Total population of Pattadars paying less than 1 Rupee.	663,501
	B	Total population of Pattadars paying less than 10 and more than 1 Rupee.	2,271,801
	B	Total population of Pattadars paying over 1 Rupee.	3,559,042
	B	Total population of Pattadars paying over Rs. 10.	1,287,241
	C	Statistics of ordinary cultivation for the Presidency as per census of 1911 (actual workers, male and female).	
	C	Cultivating and non-cultivating land-owners.	6,546,047
	C	Cultivating and non-cultivating tenants.	3,126,311

Putting together the figures in B and C, we can estimate the total number of the agricultural classes that will be enfranchised under our scheme, at about 4 millions. We have to add the income-tax payers (excluding those in receipt of Government salaries) who are about 88,000, and also the graduates. Many of these are probably paying land revenue, and so are included among the four million.

Conclusion

The principle of representation that prevails in all democratic countries is that the people as a whole should be made to realise that the Legislature is a reflection of the dominant views and feelings which run through society. In view of the fact that the representation of special interests like those of trade and commerce, the landed classes and the Universities is already in existence, and on the ground that, as the *Report* observes, it may not be always possible for minor communities to secure seats in the Council, it has been found necessary to adopt a more complex scheme. While making provision for the special interests and minor communities, we have allotted 136 seats to the general electorates for which candidates of all castes and creeds will be entitled to stand, except those who have special electorates of their own. By splitting up the Legislative Council into a number of

separate interests, castes, and creeds, the end which is contemplated by the *Report* will not be achieved, viz., Responsible Government. Responsible Government of the august type, or that prevailing in the Colonies, means the existence of party Government based on political principles of a definite type. The immediate object of the reformed Councils will be the evolution of party Government, though we would not like to see it introduced into India with all its Western characteristics. It may be expected that in the course of a few years such a system of Government will come into existence; although it may not be easy just at present to define the political programme which the parties will place in the forefront. But the political evolution of party Government will be rendered difficult, if not impossible, if we begin by emphasising caste and creed differences instead of political. If the elections could be fought on questions of land revenue, excise, and education, there can be no doubt that conservative and liberal opinions will begin to play their natural role, and the emergence of two distinct parties, at least to start with, will be ensured. We would, therefore, appeal to our countrymen in this Presidency, to give to our arguments a calm and unprejudiced hearing. On their wise decision will depend the success of the political institutions that may be set up, and ultimately the political destiny of our Motherland.

In order to allay the fears that are current in certain quarters that one important minority will absorb the major part of the seats, we have restricted the district representation to not more than 1 Brahmana. This may end in eliminating him altogether from the Council, a consummation the desirability of which will be estimated at different values by different considerations, or at most, as we have said, it will return 25 members of this caste. We are of opinion that it will be impossible without unduly infringing the liberty of the electors to do more than this. What is required is that the scheme which will be presented before the Franchise Committee should, at least, be based upon these main principles, whatever differences there may be in detail.

NATURALISATION

Few Indians are conscious of a law in India governing the naturalisation of foreigners; yet such a law exists in our Statute-Book. It was promulgated in 1853, under the East India Company and it relates to non-British subjects. Persons intending to be designated as naturalised British Indian subjects are required by that Act to submit an application giving some details regarding themselves and to take a prescribed oath of allegiance. No other qualifications are demanded; but the Government reserve to themselves the right to grant the naturalisation certificate subject to any modifications which they may deem fit. Of course, the certificate may be totally refused.

This Act has however been entirely ignored in practice. It is doubtful whether in recent years any foreigner has applied for the naturalisation certificate. Considering his own interests he will not. For, as a foreigner—such is the unnatural state of affairs in India—he can claim far greater privileges than as a British Indian subject. Before the War broke out, a German was exempt from the Arms Act and could claim to be tried by a European Jury in a Criminal Court—rights which the Indian subjects of His Majesty the King Emperor could not lay claim to. Even to-day, a neutral or an alien can claim greater privileges than the Indian. How many are not the Dutchmen or the Swiss or the Americans that are at present allowed to shape the destinies of the Indian people—though they owe allegiance to a foreign Nation? We find those foreigners in the local bodies, even in the Legislative Council. Within our knowledge in no other civilised country is such a state of affairs tolerated. Even to get a vote, one has to be an Australian in that continent. Even a Britisher himself has to obtain a naturalisation certificate. Else he is regarded as a foreigner, and not permitted to share the

privileges of a citizen. In India the situation is entirely reversed. The Indian has fewer rights than the foreigner—one more testimony to the fact that the Indian is a helot in his own country.

Of course, it is out of the question to permit this state of affairs to continue under the proposed Reforms. India will have to be for Indians and for none else. Unless a foreigner becomes a naturalised subject, he will have to be treated as an Indian is in his country. Not only has he to be divested of all the privileges which are now specially reserved for him, but he must be placed in a position far inferior to that of a British Indian subject. In effect, a foreigner living in India must be made to obtain a naturalisation certificate as early as possible. In demanding such a change we are only following in the footsteps of western countries. It is monstrous to have to be dictated to by persons who owe allegiance to foreign Nations and who are not prepared to identify their interests entirely with those of India.

Who, then, are the persons that have thus to be classed among foreigners? Of course, all non-British subjects. Who else? There are two other groups to be considered. British subjects and subjects of Indian States. These two stand in a relation somewhat different from that of foreigners. But is the difference such as to demand separate treatment on the subject of naturalisation? The example of the Self-Governing Colonies seems to us to be the best guide. As years pass on, our position within the Empire is to approximate to that of Canada and Australia. To them, all are foreigners who are not Canadians or Australians. A Britisher from England or a South African from the Union has to obtain the naturalisation certificate before he enjoys the privileges of Australian citizenship. Why not lay down a similar rule in India? The Imperial Conference has sanctioned a policy of reciprocity between India and the Colonies, so that the citizens of the latter will have no cause to murmur if we ask them to obtain naturalisation certificates. The situation with respect to the natives of England is however slightly different. An Indian is not treated in the same disrespectful fashion in England as in Canada, and he is entitled to a vote if he fulfils some other conditions. Are we not to

reciprocate that kindness? The Colonies do not, and why should India? And there is one strong reason why we must not make an exception in the case of the Britisher. His influence in our political life is incomparably greater than that of Indians in England. The latter may have half a dozen votes in a million; but in India the former are dictating the State policy. Unless we include them in the Naturalisation Act, they will continue to enjoy the various unnatural privileges that are now theirs. They will for years continue to occupy a superior status in our National life. There will also be no incentive for them to identify their interests with those of India. They will be as at present birds of passage or birds of prey; and certainly that is intolerable in a country enjoying Self-Rule. The Colonies have learnt by experience the necessity of compelling an Englishman to obtain a naturalisation certificate, though in their case the need for it was less, because of the identity of race and colour. But here he poses as a superior being; and that mischief must cease.

One other consideration deserves our attention, specially in our relations with the Colonies. Several of them have shut their doors against Indian emigration and our countrymen are not permitted to enjoy the rights of citizenship. This restriction is also in force in America, in fact in all those countries which are afraid of competition from Asiatics in the labour struggle. The humiliating position thus forced on Indians has evoked unequivocal condemnation from several impartial critics. Mr. A. B. Keith, in his book, *Imperial Unity and the Dominions*, says:

> The position of India with regard to the Self-Governing Dominions is indeed one of the greatest difficulty and complication, nor can any solution immediately be expected. It is difficult for India to appreciate the position of the Self-Governing Dominions: it is true that in practice the Self-Governing Dominion of the Union of the South Africa treats British Indians worse than any foreign possession and that they were before the European War less harassed in German possessions in Africa than in Natal, to the prosperity of which they have contributed so greatly. Nor is it unnatural that, when an Indian cannot set foot in Australia without being exposed to insolence from petty officials, it should be asked why Australians should be entitled to compete in the Indian Civil Service examination and be appointed to posts in India. But to recognise the difficulty of the position and to despair of a solution are very different things nor is it worth while to untie the bonds of Empire because Canada prefers Galicians to British Indians and

ejects British subjects who fail to establish themselves within three years, acting sometimes with great unfairness and injustice. The assistance rendered to the Empire by the Indian forces in the European War must have its effect in breaking down the worst of the prejudices prevailing among the Colonial forces; it cannot be without a lesson to the more intelligent of our fellow-subjects in the Empire, that, while India was able to send men to the front in France at the time of greatest need, that Dominion in which Indians have been treated worst not merely was powerless to send aid but was in the throes of a dangerous rebellion.

Again:

Nor is it, again, possible to deny that the inclusion (of Indians) is based on racial grounds pure and simple. It is, of course, common to assert that the objection to oriental labour is that it is cheap, and that it brings down the wages of European workers, and lowers their standard of living or that it defies the laws of sanitation and spreads disease. But both these things apply to many of the lower class foreign emigrants like the Lithuanians and Galicians, who have for many years been welcomed into their land by Canadians, despite the aberrations of the Dubhobors, whom an ordinary judgment would put down as very undesirable aliens, and there has been no determination to exclude these Nations wholesale on the ground of Nationality alone. Nor is it obvious from any standpoint of morality that it is fair to blame a worker if he demands less wages when his subsistence, owing to his temperate habits and his abstention from beef and beer, costs him far less than his European rival.

Nations acting so unjustly against Indians cannot in fairness expect to be treated on the same footing as those which admit us to their citizenship. We therefore suggest that the subjects of the Nations hostile to India shall be refused the naturalisation certificate, even though they be members of the British Empire.

Similar is our position with respect to the Indian States. It is one of the accepted canons of Indian political life that subjects of British India are not to interfere in matters concerning the States and vice versa. Moreover, a strong movement is now on foot in the various States reserving their privileges to themselves. How often has not one heard the cry: Mysore for the Mysorean! And the underlying demand has been granted, though without any outward show. The Government of Mysore does not give its scholarships, nor its higher appointments to outsiders. A similar movement is in evidence in the other States as well. That being so, it is perfectly proper on our part to

demand a naturalisation certificate from them as well. If they do not have interests at stake here urging them to become Indian subjects, why should they murmur if we ask them to keep off from our National institutions. Of course, this restriction will have to end the moment these States occupy in a federated India the position identical to that of the British Provinces.

That brings us to the next question: Whether Indians belonging to other British Provinces should be asked to obtain a naturalisation certificate. For instance, if a Bengali has business transactions in Madras and resides here, is he not to have the vote or other privileges of a citizen in this Province. It is of course assumed that he fulfils all other conditions including residence at the place of voting during the prescribed period. That being so, why should he be disqualified? He owes his allegiance to the same authority as the Madrasi, viz., the Indian Nation of which he is a memb[illegible] Similar is the practice in other countries with a Federal [illegible]ernment, in Australia or Canada; and we see no valid [illegible] to urge a different policy.

Consequently, the old Naturalisation Act must be a[illegible] so as to include all persons who are not British *Indian* [illegible] and they must obtain a naturalisation certificate before they ca[illegible] obtain a vote, with the proviso that natives of countries where Indians are not admitted to the vote shall be disqualified in this country.

Secondly, the conditions under which the naturalisation certificate can be obtained must be made more stringent. The applicant shall have resided in India for a period of at least five years, which is no doubt a longer interval than is demanded in some western countries but is necessitated in India by the unnatural position which non-Indians at present enjoy at the present moment. Birds of passage must be disqualified at least to that extent, and foreigners without naturalisation certificates must no longer enjoy any special privileges. On the other hand, they must be made to feel their weakness as aliens—the ai[illegible] throughout being to enhance the privileges of Indian citize[illegible] [illegible]ip and to reserve them only to those who are prepared [illegible] [illegible]tify their interests with those of the Indian Nation.

EXCESSIVE REPRESENTATION OF MINORITIES

A MINUTE OF DISSENT

By K. P. Padmanabhan Pillai

all countries possessing representative institutions, the re-
ntation of minorities is a really vexed question. Representative
utions are based on the principle that the majority represents
ly themselves but the whole Nation, and therefore the members
majority elects as their representatives will look after the
the whole body-politic. This is however only a
onception of what ought to be. It is doubtful whether
al State exists ever in the European countries, in spite of
ional solidarity and sense of corporate existence. In India
tter is greatly complicated by the existence of various castes
religions that do not allow intermarriages between their
constitutent members. Therefore the case for minority representation
is even stronger. The difficulty is to find out a method which will
give adequate representation to the minority without injustice to the
majority and, above all, without prejudice to National well-being.

Various methods have been suggested in our memorandum
after long discussions and there is no need to go over them in detail
here. But to my mind the whole of our discussion on this topic has
been vitiated by the absence of any fundamental principle guiding
and controlling our proposals. I am strongly of opinion that popula-
tion must be the basic principle on which representation is to
ranted. It follows from this that, if minorities are given separa
resentation, the representation must be in proportion to th
lation. We must remember that giving excessive representati
me communities, involves the under-representation of
Looked at from this point of view, the 15 members g
madans and the 5 members given to Christians in ou
stifiable. As a democrat, I cannot accept s

justice, highly undemocratic in itself and subversive of National interests. I can understand if a minority asks for special representation according to their numbers. Whatever be its influence on National solidarity, it is at least fair. This representation of any community in excess of its numbers is grossly unfair. It is also derogatory to the self-respect of the other communities. The specially favoured communities will begin to think that they are politically more important than the others. They are in fact justified in thinking so because the vote of one of their number counts for more than the vote of one of the less favoured communities. For instance, if 30 members out of 200 are given to the Muhammadans, the vote of one Muhammadan will be worth more than the votes of two Hindus. Again, if ten members are given to Christians, the vote of one Christian will be nearly equal to the votes of two Hindus. The following table will make it clear.

Community	Population	Percentage to total population	Number of members by the Scheme	Rem
Muhammmadans	2,740,408	6·5	30	More th
Christians	1,167,000	2·7	10	Nearl p

The total population of the *Presidency* is 42 n
total number of elected members according to the
From the above table it will be seen that althoug
madans form only less than 7 per cent of the pop
Presidency, 15 per cent of the seats are set apart for
same way, although the Christians form only 2·7 p
population, 5 per cent of the seats are set apart for
highly undemocratic and unsuitable to the ideas
century. It is an accepted principle in all democra
the vote of each individual must as far as possible have exa
same value. Any other principle will be grossly unfair and deg
to the Hindu community who form the vast majority of the p
I hope His Majesty's Government will not put such an unme
slur on the Hindu community.

It is said that in some Provinces the Muhamma
possess excessive representation. This

...ad the principle. On the other hand, it is only an arg...
...ng away such an unfair right if they possess it anywhere...
...sent. Of course all my objections against excessive representation
...ly apply to special representation which the Muhammadans and
...hristians may claim as a right. When we are discussing rights,
...he rights of all communities must be properly adjusted. In a
general electorate, even if all the members are Muhammadans or
Christians, there is no loss of self-respect to the others because they
had themselves elected those members. For instance, at the last
election to the Indian Legislative Council, Bombay was represented
by a Muhammadan and a Parsi, although the population is over-
whelmingly Hindu. In this case the members represent the Nation
...d not a special communal interest, and so there is no slight on
... other communities.

...t is urged that 15 per cent of the seats have been set apart for
...hammadans by the Congress-League Scheme and therefore we
...tamper with it. I am not at all impressed by this argument.
... I do not think that even its authors will contend
...gress-League Scheme is a finished product which
...pted as it is. I take it to be only a statement of
...iples along which the reform of the Indian Con-
... proceed. Even supposing the Congress-League
... last word on the subject, I still maintain that
... meeting in Conference have no right to barter
...ental and inalienable political rights of millions
...t a direct and unequivocal mandate to that
...ulations concerned.

... anyone thinks that peace can be purchased by
...which go to the root of democratic Government,
...aken. Concessions at the expense of other com-
...whet the appetite of the specially favoured, and
...ng they will clamour for more and more. Already
...slamia League is saying that the representation
...ns is not sufficient. Others may do the same.
... a foretaste of what may be expected in the future.
...all the minor communities are given representa-
...cess of their numbers, what is to become of the un-
...ulas who, in spite of all manipulations of the census,
...merous, the most intelligent, and the most warlike
...of this hapless land. Over-representation
...resentation of the majority; and

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